

DEC. -17' 03(WED) 12:32

HESLIN ROTHENBERG

TEL:518 452 5579

P. 005

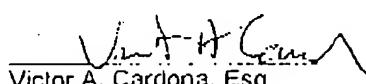
Docket No. 0545.024  
Serial No. 10/054,253

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Rode Confirmation No.: 3708  
Serial No.: 10/054,253 Group Art Unit: 3683  
Filed: January 22, 2002 Examiner: K. L.T. Nguyen  
Title: ADJUSTABLE DISC SPRING SYSTEMS AND METHODS

**Certificate of Facsimile Transmission**

I hereby certify that this correspondence is being transmitted by facsimile on November 2, 2003 to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attn: TC3600, at Facsimile No. (703) 872-9326.

  
Victor A. Cardona, Esq.  
Registration No. 44,589  
Attorney for Applicants

To: Commissioner for Patents FAX NO.: 1-703-872-9326  
P.O. Box 1450 No. of Pages: 14  
Alexandria, Virginia 22313-1450  
Attn: Technology Center 3600

**Petition to Withdraw Holding of Abandonment Pursuant to 37 CFR 1.181(a)**

Dear Sir:

This petition is filed in response to the Notice of Abandonment mailed on October 31, 2003 in connection with the above-designated application. The Notice was issued because the Office apparently never received a response to the outstanding Office action dated February 12, 2003, although a response to the February 12, 2003 Office Action was timely mailed on May 12, 2003. A Certificate of Mailing dated May 12, 2003 and signed by the undersigned attorney was included on the Amendment, as well

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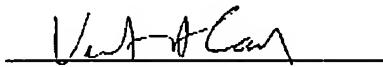
TEL:518 452 5579

P. 006

Docket No. 0545.024  
Serial No. 10/054,253

as the Amendment Transmittal Letter, and a return-receipt postcard was included in the mailing. Enclosed is a copy of the Amendment Transmittal Letter, Response, as well as a copy of the return-receipt postcard, confirming receipt of the Response at the U.S. Patent and Trademark Office on May 15, 2003. It is submitted that the response was filed in a timely manner, and the application was not abandoned. Therefore, withdrawal of the holding of abandonment, entry of the response and amendments, and continued examination of the application is respectfully requested.

*Respectfully submitted,*

  
\_\_\_\_\_  
Victor A. Cardona  
Attorney for Applicant  
Reg. No. 44,589

Dated: November 5, 2003

**HESLIN ROTHENBERG FARLEY & MESITI P.C.**  
5 Columbia Circle  
Albany, New York 12203-5160  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579

Attachments:

Copy of Amendment Transmittal and Response to Office Action, dated May 12, 2003  
Copy of Return-Receipt Postcard, confirming receipt of Response, date stamped May 15, 2003

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MAY 3 / 2003

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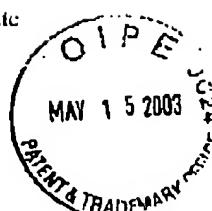
**Applicant:** John E. Rude  
**Serial No.** 10/054,253  
**Filing Date:** January 22, 2002  
**Title:** ADJUSTABLE DISC SPRING SYSTEMS AND METHODS

**Enclosed:**

- \* One (1) Acknowledgment Postcard
- \* Amendment Transmittal Letter (1 page) in duplicate
- \* Response to Office Action (10 pages)

File No.: 0545.024/VAC/ccw

**Date Mailed:** May 12, 2003  
**Date Due:** May 12, 2003



**AMENDMENT TRANSMITTAL LETTER (Small Entity)**Docket No.  
0545.024

Applicant(s): John E. Rode

Serial No.  
10/054,253Filing Date  
01/22/2002Examiner  
Xuan Lan T. NguyenGroup Art Unit  
3683

Invention: ADJUSTABLE DISC SPRING SYSTEMS AND METHODS

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	32	32	0	x \$9.00	\$0.00
INDEP. CLAIMS	3	3	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-1935  
A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.



Signature

Dated: May 12, 2003

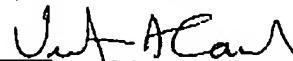
VICTOR A. CARDONA, ESQ.

Attorney for Applicant - Registration No. 44,589

HESLIN ROTHENBERG FARLEY & MESITI P.C.  
5 Columbia Circle  
Albany, New York 12203  
Phone: 518-452-5600  
Fax: 518-452-5579

cc:

I certify that this document and fee is being deposited on US/12/2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

VICTOR A. CARDONA

Typed or Printed Name of Person Mailing Correspondence

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HESLIN ROTHENBERG

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P. 003

11/05/03 10:04:46

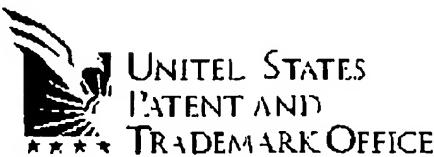
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Page 001

[0:Auto-reply fax to 518-452 5579 COMPANY:

## **Auto-Reply Facsimile Transmission**



**TO:** Fax Sender at 518 452 5579

## **Fax Information**

Date Received:

Total Pages:

Fax Sender at 518 452 5579

11/5/03 5:15:15 PM (Eastern Standard Time)

14 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	RUGO	Confirmation No.	37283
Serial No.	160054-050	Group Art Unit:	2660
Filing Date	January 22, 2002	Examiner	K. L. F. Nguyen
Title	ADJUSTABLE ELECTRO-CHROMIC SYSTEMS AND METHODS		

Priority - U.S. Application

I hereby declare that I am the inventor or joint inventor(s) identified by name(s) above, and that I have a bona fide residence at the address listed below. My residence is located in the State of California, County of Los Angeles, Zip Code 91343. Telephone No. (708) 672-7711.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_  
Physical Address \_\_\_\_\_  
Address \_\_\_\_\_

To:	Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22314-1450 Attn: Technology Center - 1400	FAX NO.: 1-703-872-9336 No. of Pages: <u>14</u>
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Posturing to Withdraw Holding of An Amendment Pursuant to 37 CFR 1.101(e)

Dear Sir:

This posturing is being made in response to the Notice of Appeal/Petition filed on October 11, 2001 in re RUGO (Serial No. 160054-050). The notice was filed because the Office apparently never received a response to the following Office action dated February 12, 2001, although in response to the February 12, 2001 Office Action was timely mailed on May 12, 2001. A Certificate of Mailing dated May 12, 2001 and signed by the undersigned attorney was included in the transmission, as well.

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TEL:5 152 5574

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TRANSACTION REPORT

Transmission

Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION	PGS.	RESULT	MODE
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Docket No. 0545,024  
Serial No. 10/054,253

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rode Confirmation No.: 3708  
Serial No.: 10/054,253 Group Art Unit: 3683  
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Attorney for Applicants

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